

ORIGINAL

IN THE UNITED STATES DISTRICT COURT U.S. DISTRICT COURT
AUGUSTA, GA.

FOR THE SOUTHERN DISTRICT OF GEORGIA 2009 MAR -3 P 3 28

DUBLIN DIVISION

CLERK *B. McCarthy*
S.D. DIST. OF GA

FREDRICK ALLEN ELLIS,)
)
Plaintiff,)
)
v.) CV 308-113
)
DANNY POWELL and CHRIS)
BRACEWELL,)
)
Defendants.)

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed.¹ Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, the motion to dismiss is **GRANTED**, the motion for summary judgment and Plaintiff's outstanding motions are deemed **MOOT**,² and this civil action is **CLOSED**.

SO ORDERED this 3rd day of March, 2009, at Augusta, Georgia.

Rudolph T. Branch
UNITED STATES DISTRICT JUDGE

¹The Court notes that Plaintiff has filed a "response" to the Report and Recommendation, in which he indicates that he accepts the Magistrate Judge's recommendation of dismissal. (See doc. no. 204).

²Those motions filed by Plaintiff and Defendant Powell since the issuance of the Report and Recommendation are also deemed **MOOT**. (Doc. nos. 202, 203).